

AMENDED ORDINANCE NO. 820

ORDINANCE REPEALING CHAPTER 119 OF THE CODE OF THE CITY OF WESTMINSTER AND REENACTING CHAPTER 119 OF THE CODE OF THE CITY OF WESTMINSTER TO ADOPT THE 2009 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF THE EXTERIOR OF ALL PROPERTY, BUILDINGS AND STRUCTURES AND THE INTERIOR OF ALL RESIDENTIAL RENTAL PROPERTIES, BUILDINGS AND STRUCTURES, PROVIDING STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT RESIDENTIAL STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE, THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE CITY, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR, ADDING SECTION 301.4, "DISPOSITION OF PROPERTY FROM EVICTED OCCUPANTS"; AND ALL MATTERS GENERALLY RELATING TO PROPERTY MAINTENANCE IN THE CITY OF WESTMINSTER

WHEREAS, the Public Safety Article, Md. Code Ann., §12-203 "Minimum Livability Code" requires that each political subdivision of the State of Maryland adopt by regulation a local housing code that sets minimum property maintenance standards for housing in the subdivision; and

WHEREAS, pursuant to this authority, the City of Westminster enacted a Property Maintenance Code which is codified in the Code of the City of Westminster, Chapter 119; and

WHEREAS, the 2009 Edition of the *International Property Maintenance Code* published by the International Code Council (IPMC) is a model code that regulates the minimum maintenance requirements for existing buildings; and

WHEREAS, the IPMC is also a maintenance document intended to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety, which fixes responsibility among owners, operators and occupants for code compliance; and

WHEREAS, the City of Westminster desires to adopt the IPMC, as the City's Property Maintenance Code for regulating and governing the conditions and maintenance of all property, buildings and structures, providing standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures, providing for the issuance of permits and collection of fees therefor, as modified to address the specific needs of the City of Westminster.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Mayor and Common Council of Westminster, that Chapter 119, "Property Maintenance Code" of the Westminster City Code, be and is hereby repealed in its entirety and is reenacted to read as follows:

CHAPTER 119

PROPERTY MAINTENANCE CODE

§119-1. Adoption of Standards by Reference.

The 2009 Edition of the International Property Maintenance Code, as amended from time to time, as published by the International Code Council, Inc., which is kept and maintained by the Code Official, shall be and is hereby adopted as the "City of Westminster Property Maintenance Code" (sometimes hereinafter referred to as the "Property Maintenance Code"). All of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code are hereby referred to, adopted and made a part hereof as if fully set out in this chapter with the additions, insertions, deletions and changes, if any, prescribed in §119-2 of this chapter.

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§119-2. Amendments.

The following sections of the International Property Maintenance Code are hereby amended and revised as set forth in this Section. Unless otherwise noted, the sections enumerated below are intended to replace in their entirety the corresponding sections of the 2009 International Property Maintenance Code.

Section 101 General

101.1 Title. These regulations shall be known as the “City of Westminster Property Maintenance Code.”

101.2 Scope.

A. The City of Westminster Property Maintenance Code shall apply to:

(1) All existing and future residential rental structures and premises, including the interior and exterior of all structures and the exterior property;

(2) All existing and future owner-occupied residential premises, including the exterior (but not the interior) of the owner-occupied principal structure and the interior and exterior of all other structures, and the exterior property; and

(3) All other existing and future premises, including the exterior (but not the interior) of all structures in which is conducted the principal use of the premises, the interior and exterior of all other structures and the exterior property.

B. The City of Westminster Property Maintenance Code shall constitute the minimum requirements and standards for premises, structures, equipment, and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire

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or other hazards, and for safe and sanitary maintenance.

C. The City's Property Maintenance Code contains the responsibilities of owners, operators and occupants of structures and premises in the City. Notwithstanding any other provisions of this code, the owner of property subject to the provisions of this code remains primarily responsible for meeting the standards of this code and for any violations of any provisions of this code.

D. The City's Property Maintenance Code also provides for the administration and enforcement of the Property Maintenance Code and establishes penalties for violations thereof.

Section 102 Applicability

102.1 General. The following shall be added: Where, in a specific case, sections of the Westminster City Code specify a different requirement, the most restrictive provision shall govern.

102.3 Application of other codes. Repairs, additions or alteration to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Building, Plumbing and Mechanical Codes and other codes adopted by the City, including, where applicable, and relevant ordinances of Carroll County, Maryland and those codes found in Chapter 8 of the 2009 International Property Maintenance Code. Nothing in this Code shall be construed to cancel, modify or set aside any provision of Chapter 164 "Zoning and Subdivision" of the Westminster City Code.

102.7 Referenced Codes and standards. The codes and standards referenced in this Code, to the extent not already specified herein, shall be those found in Chapter 8 of this Code,

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the Westminster City Code or in the ordinances of Carroll County adopted by the City and considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and the Carroll County Code, the provisions of this Code shall apply. Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

Section 103 Department of Planning, Zoning and Development

103.1 General. The Department of Planning, Zoning and Development (hereinafter “the Department”) shall administer this Code, and its director shall be known as the “Code Official.”

103.2 Appointment. The Code Official shall be appointed as provided for in Chapter 29 of the Westminster City Code.

103.5 Fees. The fees for activities and services performed by the Department carrying out its responsibilities under this Code shall be included in a schedule in the City of Westminster’s General Fee Ordinance.

Section 104 Duties and Powers of the Code Official

104.3 Right of Entry; Administrative Search Warrants

A. The Code Official and his deputy officials are authorized to enter the structure or premises at reasonable times to make an inspection to enforce the provisions of this Code, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official is authorized to pursue recourse as provided by law, including, but not limited to, administrative search warrants.

B. Administrative search warrants. The Code Official or Deputy Code Official(s) may

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apply to a judge of the district court or circuit court for an administrative search warrant to enter any premises to conduct any inspection required or authorized by law to determine compliance with the provisions of this code.

(1) The application for an administrative search warrant shall be in writing and sworn to by the applicant and shall particularly describe the place, structure, premises, etc., to be inspected and the nature, scope and purpose of the inspection to be performed by the applicant.

(2) Before filing an application for an administrative search warrant with a court, the Code Official and/or Deputy Code Official(s) shall obtain approval by the City Attorney as to its legality in both form and substance under the standards and criteria of this section and a statement to this effect shall be included as part of the application.

(3) A judge of a court referred to in this section may issue the warrant on finding that:

(a) The applicant has sought access to the property for the purpose of making an inspection; and

[1] After requesting, at a reasonable time, the owner, tenant or other individual in charge of the property to allow access, has been denied access to the property; or

[2] After making a reasonable effort the applicant has been unable to locate any of these individuals.

(b) The requirements of Subsection B(1) and (2) of this section are met.

(c) The Code Official and/or Deputy Code Official(s) is authorized by law to make an inspection of the property for which the warrant is sought; and

(d) Probable cause for the issuance of the warrant has been demonstrated by the applicant

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by specific evidence of an existing violation of any provision of this code or any rule or regulation adopted under this code or by showing:

[1] That a reasonable administrative inspection program exists regarding the condition of the property; and

[2] That the proposed inspection comes within that program.

(4) An administrative search warrant issued under this section shall specify the place, structure, premises, vehicle or records to be inspected. The inspection conducted may not exceed the limits specified in the warrant.

(5) An administrative search warrant issued this section authorizes the applicant and other officials or employees of the City to enter specified property to perform the inspection, sampling and other functions authorized by law to determine compliance with the provisions of this code.

(6) An administrative search warrant issued under this section shall be executed and returned to the judge by whom it was issued within:

(a) The time specified in the warrant, not to exceed 30 days; or

(b) If no time period is specified in the warrant, 15 days from the date of its issuance.

104.7 Coordination of Inspections. Whenever, in the enforcement of this Code or another code or ordinance, the responsibility of more than one City Code Official is involved, it shall be the duty of the Code Officials involved to coordinate their inspections and administrative orders, to the extent that it is practicable to do so, so that the owners and occupants of the structure shall not be subjected to visits by numerous inspectors or multiple or conflicting orders. Whenever an inspector from any agency or department observes an apparent or actual violation

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or some provision of some law, ordinance or code not within the inspector's authority to enforce, the inspector shall report the findings to the Code Official having jurisdiction.

Section 106 Violations

106.2 The Code Official shall serve notices of violation and orders in accordance with Section 107. An additional notice of violation is not required where the same violation occurs again on the same property within 90 days of the initial violation.

106.3 Prosecution of violation. If a notice of violation is not complied with or if the same violation occurs on the same property within 90 days of the initial violation, as a result of which no additional notice of violation is required, the Code Official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. In addition to all other remedies provided by law, violations of this code shall be deemed a municipal infraction, and the Code Official and any deputies may issue a citation if the person to whom a notice of violation is issued fails to comply with the notice of violation. The Code Official may pursue all available remedies, including but not limited to prosecution as a municipal infraction and the filing of liens, and such remedies may be pursued concurrently or consecutively and shall not be mutually exclusive. The City Attorney is authorized to prosecute violations of any provision of this Code.

106.4 Violations and penalties. Any person who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local law. Each day that a violation continues after due notice has

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been served shall be deemed a separate offense. In addition to other remedies, any violation may be deemed a municipal infraction and prosecuted as such. The penalty for violation shall be a fine of Two Hundred Dollars (\$200.00) for each offense, which may be doubled in accordance with applicable law. The penalties provided herein are in addition to those provided in Section 12-203 of the Public Safety Article of the Annotated Code of Maryland.

106.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the Code Official from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises. Upon the failure of any person to whom notice has been given pursuant to this code to comply with the terms of such notice, the Code Official may direct the appropriate City officer, employee and/or agent to remedy the condition which is the subject of such notice. The expenses incurred by the City in so doing shall also be charged to the person(s) committing the violation, and such expenses shall constitute a lien upon the premises upon which such condition occurred, to be collected as City taxes are collected, if not otherwise first paid to the City. Abatement by the City of conditions in violation of this code and reimbursement to the City of expenses incurred thereby shall not bar the issuance of a municipal infraction and the prosecution for such violation.

Section 107 Notices and Orders

107.1 Notice to person responsible. Add: No additional notice of violation is required before instituting appropriate proceedings to restrain, correct or abate such violation, where the same violation occurs again within 90 days of the date of the initial violation for which a notice

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has already been sent. The Code Official will establish by written order specific timeframes for compliance with violations and/or classes of violations.

Section 108 Unsafe Structures and Equipment

108.8 Displacement of persons and relocation. No person may be displaced unless the Code Official determines that continued habitation would constitute a substantial risk to the person's health, safety or welfare.

1. Relocation. The property owner shall provide any person, displaced by enforcement of this code, with housing of comparable affordability within a reasonable distance of the vacated premises. If displacement is a direct result of action taken by the Code Official against the tenant or as a result of an act of God, the property owner is not responsible for relocation of the tenant.
2. Failure to comply. If a property owner fails or refuses to relocate a displaced person, the Code Official shall provide alternate housing until such time as the Code Official authorizes reoccupation of the condemned premises, or until the property owner provides alternate housing.
3. Liability for costs. The property owned shall be responsible for all necessary and reasonable costs of displacement or relocation pursuant to paragraph 2. In addition, the displaced person shall continue to be responsible for the payment of rent in the same amount as paid to the property owner immediately prior to the displacement, to be paid to the City of Westminster. The property owner shall be responsible for the difference between the rent as paid prior to the displacement and the rent required for the alternative

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housing. The City of Westminster may institute appropriate action or proceedings to recover these monies from the property owner. Additionally, such costs shall constitute a lien on the property collectible in the same manner as delinquent taxes.

Section 109 Emergency Measures

109.7 Judicial relief. Whenever, in the judgment of the Code Official, an emergency exists which requires immediate action to protect public health, safety and welfare, the Code Official may elect to apply to a court of competent jurisdiction for an order requiring such action as is appropriate to correct or abate the emergency condition without waiving any of the other authorities or powers granted under this code.

Section 110 Demolition

110.1 General. The Code Official shall order the owner of any premises upon which is located any structure, which in the Code Official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure. The time for compliance shall be reasonable, but not to exceed 60 days. The time may be extended for good cause.

110.3 Failure to comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, the Code Official may apply to a court of competent

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jurisdiction for a demolition order to undertake demolition. The Code Official shall also obtain the approval of the Mayor and Common Council before applying to court for a demolition order. In seeking that approval, the Code Official shall provide the Mayor and Common Council with such information that the Code Official deems appropriate. The cost of the demolition shall be a lien on the property and collected in the same manner as delinquent taxes.

110.5 Interest. Whenever any fine, cost or fee is assessed or any lien is filed, the amount shall include interest. For liens collectible as taxes, the interest shall be at the legal rate permitted by law. For fines, fees or costs assessed for violations, which become judgments, the rate shall be the current judgment rate.

Section 111 Means of Appeal

111.1 Application of appeal. Any appeal authorized by this Section shall be to the Board of Housing Appeals.

111.2 Board of Housing Appeals.

A. There is established a Board of Housing Appeals to hear appeals provided for under this code. The Board of Housing Appeals shall consist of five members, who must be City residents and who are not employees of the City. The Code Official shall be an ex-officio member but shall have no vote on any matter before the Board. The members of the Board shall be appointed by the Mayor and subject to approval by a majority vote of the Common Council.

B. Alternates. The Mayor may appoint one or more alternate members, who will be subject to approval by a majority vote of the Common Council and who shall be called by the Board Chairman to hear appeals during the absence or disqualification of a member. Alternate

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members shall possess the qualifications required for Board membership.

C. Chairman. The Board shall annually select one of its members to serve as Chairman.

D. Disqualification of members. A member shall not hear an appeal in which that member has a personal, professional or financial interest.

E. Secretary. The Code Official shall designate a qualified person to serve as Secretary to the Board. The Secretary shall file a detailed record of all proceedings in the office of the Code Official.

F. Compensation of members. Members shall serve without compensation.

Section 111.3 Notice of Meeting. The Board shall meet upon notice from the chairman, within ten (10) days of the filing of an appeal, or at stated periodic meetings.

Section 111.4 Open hearing. All hearings before the Board shall be open to the public. The appellant, the appellant's representative, the Code Official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of three members.

111.4.1 Procedure. The Board shall adopt and make available to the public procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

111.6.1 Records and copies. The decision of the Board shall be maintained as official records of the City. Copies shall be furnished to the appellant and to the Code Official.

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111.7 Court review. Any person aggrieved by any decision of the Board of Housing Appeals may appeal the same to the Circuit Court for Carroll County in accordance with Title 7, Chapter 200, of the Maryland Rules of Procedure as it may be amended from time to time.

111.8 Stays of Enforcement. Appeals of notice and orders (other than in matters involving an immediate threat to health or safety) shall stay the enforcement of the notice and order until the appeal is heard by the Board of Housing Appeals.

Section 112 Stop Work Order

112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of Two-Hundred Dollars (\$200) for each offense, which may be doubled in accordance with applicable law.

Chapter 2 DEFINITIONS

Section 202 General Definitions The following definitions are added:

Department: City of Westminster Department of Planning, Zoning and Development.

State Fire Prevention Code: Public Safety Article of the Annotated Code of Maryland, Title 9 “Fire Protection and Prevention” and the Code of Maryland Regulations (COMAR) Chapter 29.06.01 entitled the “State Fire Prevention Code” and as they may be amended hereafter from time to time.

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Chapter 3 GENERAL REQUIREMENTS

Section 301 General

301.2 Responsibility

301.2.1 This Section shall address the responsibility of owners of property within the City and their agents, occupants of property within the City, and the requirement to register residential rental properties.

301.2.2 For all residential rental properties, the owner of record as shown in the land records of Carroll County, Maryland, must designate an agent who shall be an individual residing within the State of Maryland no more than 25 miles from the City limits of Westminster. The owner shall certify and register the name, address and telephone number of such agent and shall keep such information current with the Code Official. Post office boxes are not acceptable. The agent must be an individual who can be reached within no less than one hour, at all times, 24 hours per day.

301.2.3 The owners of all residential rental properties with the City of Westminster must register those properties with the Code Official by name, address and telephone number of the owner, and the address and number of rental units in the property.

301.4 Disposition of Property from Evicted Occupants. Personal property, including but not limited to furniture, implements, tools, goods, effects, or other chattel, that is removed from a property pursuant to an eviction shall be deemed abandoned once the personal property is placed on or near a public way, as that term is defined in this Chapter, or a highway, as that term is

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defined in §8-101 of the Transportation Article of the Annotated Code of Maryland. In no event shall personal property of an evicted person be placed within a public way or highway.

In the event the personal property of an evicted person remains on or near a public way or highway for more than 48 hours, the *Code Official* may order the Department of Public Works to remove the personal property and to dispose of the personal property in a landfill or other appropriate location. When, in the opinion of the *Code Official*, the placement of the personal property adversely affects the public health, safety or welfare or causes the appearance of a blighting condition, the *Code Official* may order the immediate removal of the personal property by the Department of Public Works. In this case, the personal property will be kept by the Department of Public Works for no more than the initial 48 hours before the personal property is disposed of in a landfill or other appropriate location. The *Code Official* may place a placard in a conspicuous location at the property notifying the *occupant* of the location where they can claim their personal property within the initial 48 hour period. When the City of Westminster has removed and disposed of the personal property, a fee for the removal of the personal property will be charged to the owner of the real property in accordance with the City of Westminster's General Fee Ordinance, and if unpaid shall be collected in the same manner as real estate taxes and such charges shall constitute a lien on the land and premises in the same manner and to the same extent as unpaid real estate taxes.

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Section 304 Exterior Structure

304.14 Insect Screens. During the period from May 1 to November 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are process, manufactured, package or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Section 305 Interior Structure

305.1 General. Add: The owner of a structure in the City shall keep the interior of the structure in a clean and sanitary condition.

Every owner of a structure containing a rooming house, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

305.1.1 Unsafe conditions. The first sentence is amended to read as follows: The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the Building Code:

Section 306 Component Serviceability

306.1.1 Unsafe conditions. The first sentence is amended to read as follows: Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the Building Code as required for existing buildings:

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Section 308 Rubbish and Garbage

308.2 Disposal of rubbish. Add: The owner of every premises in the City shall be responsible for ensuring that all rubbish generated from his/her premises is disposed of in a clean and sanitary manner by placing such rubbish in approved containers.

308.3 Disposal of garbage. Add: The owner of every premises in the City shall be responsible for ensuring that all garbage generated from his/her premises is disposed of in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

Section 309 Pest Elimination

309.3 Single occupant. Add: In the event the occupant of a one-family dwelling or of a single-tenant nonresidential structure fails to exterminate the premises in accordance with this Code, the owner shall be responsible for exterminating the premises.

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309.5 Occupant. Add: In the event that the occupant of any structure fails to provide for the continued rodent-and-pest free condition of the structure as required in this Code, the Owner shall be responsible for maintaining the structure in a continued rodent and pest free condition.

Chapter 4 LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

Section 401 General

401.3 Alternative devices. In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the Building Code shall be permitted.

Chapter 5 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

[P]Section 502 Required Facilities

502.5 Public toilet facilities. Public toilet facilities shall be maintained in a safe and sanitary manner and working condition in accordance with the Plumbing Code. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.

Section 505 Water System

505.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the Plumbing Code.

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Chapter 6 MECHANICAL AND ELECTRICAL REQUIREMENTS

Section 602 Heating Facilities

602.2 Residential Occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of not less than 68° F (20° C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperatures for the City as indicated in the Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

602.3 Heat supply. Every owner and operator of any building who rents, leases or let one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a room temperature of not less than 68° F (20° C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

When the outdoor temperature is below the winter outdoor design temperature for the City, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat to maintain a temperature of not less than 65° F (18° C) during the period the spaces are occupied.

Section 604 Electrical Facilities

604.3.1.1 Electrical equipment. Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit

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interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the Building Code.

The exceptions remain as stated in the Code.

604.3.2.1 Electrical equipment. Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the Building Code. The exceptions remain as stated in the Code.

Chapter 7 FIRE SAFETY REQUIREMENTS

Section 701 General

701.1 Scope. The provisions of this chapter, the State Fire Prevention Code, the NFPA and all other related codes, shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.

[F] Section 702 Means of Egress

702.1 General. A safe, continuous and obstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the Building Code and State Fire Prevention Code.

702.2 Aisles. In accordance with the Building Code and State Fire Prevention Code, all aisles shall be unobstructed for their entire width.

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<u>Double Underlining</u>	:	Indicates matter added to ordinance by amendment after introduction.

702.3 Locked doors. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the Building Code and State Fire Prevention Code.

[F] Section 704 Fire Protection Code

704.1 General. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the Building Code and State Fire Prevention Code.

704.2 Smoke alarms. The last sentence shall be replaced with: Single- or multiple-station smoke alarms shall be installed in other groups in accordance with the Building Code and State Fire Prevention Code.

Chapter 8 REFERENCED STANDARDS

This chapter lists the standards that are referenced in various sections of this Code. In addition to these standards, the Code contains references to various documents, including, but not limited to the State Fire Prevention Code and ordinances of Carroll County, Maryland. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the section or sections of this document that reference the standard. The application of the reference standards shall be as specified in Section (102.7).

Exception: With the exception of the International Property Maintenance Code, all references to other International Code Council ("ICC") codes are not applicable in the City of

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Westminster. In lieu thereof, standards contained in the State Fire Prevention Code, Westminster City Code or ordinances of Carroll County as adopted and/or implemented within the City of Westminster (i.e. Building Code, Plumbing Code, etc.) shall apply unless some specific reference to a particular standard is identified. In the event of any conflict, the Code Official shall determine which applicable code shall apply.

§119-3. Copies on File.

The Code Official of the City of Westminster shall maintain two copies of the Property Maintenance Code on file in the City Office.

Section 2 Upon enactment of this Ordinance, the Code Official shall make one copy of the this Ordinance, available for public review in the City offices located at 56 West Main Street during normal business hours. Additionally, the Code Official shall also make the same information available for public review on the City of Westminster's website.

Section 3. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.


Section 4. It is hereby declared to be the intention of The Mayor and Common Council of Westminster that the sections, subsections, sentences, clauses, phrases and words of this Ordinance are severable, and if any section, subsection, sentence, clause, phrase or word of this Ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining sections, subsections, sentences, clauses, phrases and words of this

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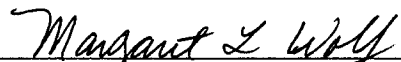
Ordinance, since the same would have been enacted by The Mayor and Common Council of Westminster without the incorporation in this Ordinance of any such unconstitutional section, subsection, sentence, clause, phrase or word.

Section 5. Be it enacted and ordained by The Mayor and Common Council of Westminster that this Ordinance shall take effect on January 1, 2011.

INTRODUCED this 11th day of October, 2010.


Margaret L. Wolf, City Administrator

PASSED this 25th day of October, 2010.



Margaret L. Wolf, City Administrator

APPROVED this 25th day of October, 2010.


Kevin R. Utz, Mayor

APPROVED AS TO FORM AND SUFFICIENCY

this 25th day of October, 2010:


Elissa D. Levan, City Attorney

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